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ABSTRACT

The role of the legal community in ensuring school safety is discussed, and effective antischool-crime programs involving attorneys and judges are described. Introductory passages comment on the overall role of courts and lawyers in education, the current national concern over crime and violence in schools, and national and California initiatives to make schools safer. The following section discusses, first, recent legal developments in California, including a constitutional amendment intended to guarantee school safety; and second, ways in which lawyers can help educators reduce violence, including inservice training, cooperative lobbying efforts and legal brief preparation, joint conference presentations, cooperative programs to educate students in law and citizenship, and innovations in juvenile court practices. Brief descriptions of effective programs complete the report. The programs cited are those of the counties of San Joaquin, San Diego, and Ventura (in California); Chicago, Illinois; New York City; and Florida. Although these programs vary widely in scope and techniques, all are based on interagency cooperation and emphasize prevention. (MCG)

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School Safety & the Legal Community

NATIONAL SCHOOL SAFETY CENTER

A booklet to outline laws, promote involvement and define roles in school safety for public and private lawyers. Included is a description of legal and leadership contexts within which lawyers impact on juvenile justice and, specifically, with crime in schools, student crime victimization and attendance.

U.S. DEPARTMENT OF EDUCATION
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School Safety & the Legal Community

NATIONAL SCHOOL SAFETY CENTER

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Foreward

George Nicholson
Director and Chief Counsel
National School Safety Center

When Massachusetts created America's first state board of education in 1837, that board selected lawyer Horace Mann to serve as the nation's first state superintendent of schools, a post he held with distinction for 12 years. Many outstanding lawyers, judges, and their respective professional associations, have been helping education ever since. Today, when our schools need us more than ever, we should not disappoint them.

This is especially true now that our nation has entered an era of unprecedented litigation. The law has become the vehicle for attempting to settle countless conflicts which formerly would have been resolved by other means.

America's schools, and the people in them, have not been immune from this litigation explosion. Cases involving virtually every aspect of education have been or are currently in court somewhere.

Without debating the merits of injecting courtrooms into classrooms, it is safe to say most educators lack a grasp of the magnitude, import or specifics of this amorphous, and often ad hoc phenomenon. Parents and students are similarly situated. This frequently breeds more conflict and litigation.

It serves no purpose to criticize the courts or lawyers for what they have done. It also serves no purpose to criticize educators, parents and students for their inability to stay abreast of the courts. Our schools, and the people in them, must deal with the legal here and now. How can the legal community help them to do that?

Those in the legal community can best help by becoming more involved in education. Rather than increasing litigation, however, our country's 625,000 lawyers, 24,000 judges, and their respective professional associations, can be most helpful by energetically *promoting and participating* in preventive legal programs.

The problem and the challenge

"The problems of American education can be both understood and corrected if the people and their public officials care enough and are courageous enough to do what is required." So declared David Pierpont Gardner, Chairman, National Commission on Excellence in Education in the *Final Report, A Nation at Risk: The Imperative for Educational Reform,* which was submitted to Secretary of Education Terrell H. Bell on April 26, 1983.

A crucial element of quality education is the existence of safe, secure and peaceful school climates. Unfortunately, problems of crime, violence, drug trafficking, truancy, vandalism and discipline often disrupt the safe and orderly processes of learning.

Albert Shanker, president of the American Federation of Teachers, while testifying before the Subcommittee on Juvenile Justice of the U.S. Senate Judiciary Committee in January 1984, declared: "We know there is continuing school violence. Most national studies documenting this are based on statistics gathered in the late '70's, but we know from reports of individual school systems and our own research that the incidents continue at an unacceptable rate." The problems of school safety have become serious enough to gain the personal attention of the President, the Attorney General and the Secretary of Education.

President Reagan put the problem in perspective while speaking to secondary school principals in early 1984: "As long as one teacher is assaulted, one classroom disrupted, or one student is attacked, then I must and will speak out to give you the support you need to enforce discipline in our schools. I can't say it too forcefully, to get learning back into our schools, we must get crime and violence out."

"We know there is continuing school violence. Most national studies documenting this are based on statistics gathered in the late '70's, but we know from reports of individual school systems and our own research that the incidents continue at an unacceptable rate."
Albert Shanker

The nation responds

It will take substantive programs, as well as presidential emphasis, to meet the challenges faced by our schools today. The U.S. Departments of Education and Justice are cooperating in the completion of three pilot projects in Rockford, Illinois; Jacksonville, Florida; and Anaheim, California, to find better ways for school districts to use their resources to prevent school crime and violence.[1]

In addition, both departments are cooperating with Pepperdine University to help operate the National School Safety Center (NSSC), a project funded by a two-year, $3.95 million grant from the Office of Juvenile Justice and Delinquency Prevention. Headquartered in Sacramento, the Center promotes a continued exchange of information related to school safety and delinquency prevention among school boards, educators, judges, lawyers, law enforcers and other public and private officials, agencies and organizations. The Center is comprised of five specialized sections: Law Enforcement, Education, Legal, Research and Communications, and pursues a comprehensive approach to school safety with emphasis on the overriding theme of interagency and multidisciplinary cooperation and partnership.

NSSC was patterned after the California School Safety Center which was formed in the California Department of Justice in 1980 by Governor George Deukmejian who was then the state's attorney general.[2] The California Center promoted a partnership effort between schools and law enforcement to address issues of school safety, crime prevention and improving school climate.[3]

Deukmejian's successor, Attorney General John Van de Kamp, has actively continued the school safety program and, indeed, formalized the education/law enforcement partnership concept through cooperative program efforts with California's Superintendent of Public Instruction Bill Honig and the State Department of Education.[4]

Over the last five years, California and many other states have pursued a number of approaches including legislation – to address the school safety issue. Bills have been passed ranging from broad education reform including improved disciplinary programs to specific crime-related actions including the curtailment of drug trafficking in and about schools, and increased penalties for campus-related crime. For example, in 1984, a bipartisan coalition of legislators passed and the governor signed, a package of bills called "California Safe Schools Program." The program will: (1) increase penalties for campus crimes; (2) require courts to notify school administrators, teachers and counselors of students who have committed violent crimes; (3) require the attorney general to prepare a concise criminal and civil law summary pertinent to campus crime, violence and discipline and delineate differences between campus crimes and mere disruptive behavior; (4) require standardized reporting of school crime and evaluation of crime prevention programs; and (5) discourage disruptive school campus "outsiders."

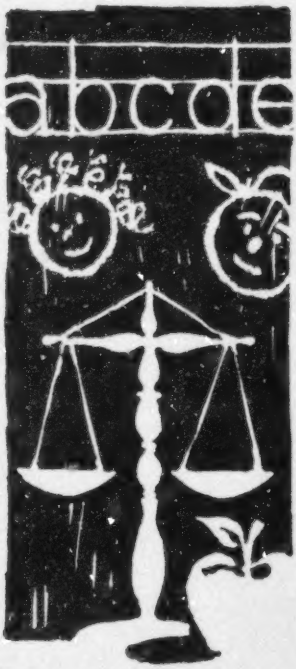
With the triad of school safety leadership which has been forged by the President at the national level, and with analogous partnerships of school safety leadership now in place or forming in many of the nation's states, the format has been established to provide positive, cooperative and effective steps to diminish crime, violence, vandalism, disruption and drug abuse in all our nation's schools.

As government officials and legislators throughout the nation pursue more effective school safety laws, school officials continue to act within the restraints of existing law and resources.

As government officials and legislators throughout the nation pursue more effective school safety laws, school officials continue to act within the restraints of existing law and resources. Individually, however, their effectiveness may be limited. Problems on school campuses usually reflect problems in the community. Therefore, safe, secure and peaceful schools require more than new

legislation, they also need the commitment and active cooperation of the entire community: school boards and superintendents, educators, law enforcers, parents, students, business leaders and community members and the legal community including judges, prosecutors and other attorneys.

Legal community involvement



The legal community, including private attorneys, public prosecutors, defenders, county counsel and judges, as well as their professional associations, are in a unique and potent position to help address school safety issues.

Right to safe schools

There are many evolving legal issues which bear on school safety. In 1980, the California Department of Justice took the unprecedented step of filing a lawsuit against all relevant governmental officials and agencies in Los Angeles County to compel them to enforce safety in the schools.[5]

The theory of the lawsuit was novel. It alleged: (1) children in California are compelled by law to attend school; (2) in this respect, their position is analogous to prisoners and mental patients who are involuntarily detained by the state: (3) hence, school children are protected, by the Eighth Amendment of the United States Constitution, against state actions that constitute cruel and unusual punishment; and (4) forcing children to attend crime-infested schools constitutes cruel and unusual punishment.[6]

This lawsuit was dismissed by the trial court and was on appeal when it was, in effect, rendered

moot by the 1982 passage of Proposition 8, the Victims' Bill of Rights.[7] To the extent crime and violence invade our campuses, school children are twice-victimized: (1) when they become actual victims of school-related crime, violence, disruption, or fear; and (2) when they are thereby denied their rights to a quality education in a tranquil learning environment. By the sustained presence or potential of campus crime, that essential tranquil learning environment is transformed into an onerous and threatening atmosphere of fear and reality of criminal harm.

The California Constitution, as amended by Proposition 8, now provides in one simple, *mandatory* and *self-executing* provision: *"Right to Safe Schools.* All students and staff of primary, elementary, junior high and senior high schools have the inalienable right to attend campuses which are safe, secure and peaceful."[8]

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Other pertinent legal issues include: (1) the continuing dilemma of how to both fairly and effectively conduct disciplinary proceedings;[9] (2) possible vicarious liability by school districts for harm done to students or staff by third parties or done to third parties by students or staff;[10] and (3) how and when can searches and seizures be conducted in and about schools.[11] Lawyers and prosecutors need to learn much more about relevant legal issues facing educators and law enforcers and then begin to provide help in resolving those issues.

Lawyers' role

Lawyers can provide in-service training for school administrators and other educators on law-related school safety issues and trends. For example, just as they often conduct or coordinate systematic and comprehensive legal training for themselves and other law enforcers in their jurisdictions, public attorneys (prosecutors, public defenders, county counsel) can provide similar legal training for

school personnel. In addition, information about relevant education law developments and trends can be integrated into existing law enforcement training.[12]

Legal professional associations can become active in a variety of other ways: Many of these organizations have legislative committees to identify possible legislation to sponsor, and to evaluate pending legislation sponsored by others. Perhaps a small number of educators could be invited to attend or actually join these committees. Similarly, legal and law enforcement associations can seek membership on the legislative committees of educators' associations.

It would be useful to lawyers, law enforcers and educators to formally establish such ties. Likewise, it would be useful for legal, law enforcement and education associations' legislative committees to confer often with education committees of legislatures.

Legal and law enforcement associations often have active amicus curiae (friend of the court) committees. These groups could pursue formal liaisons with similar committees in associations of educators. It could be of great benefit and promote school safety issues if carefully selected, mutually important cases were identified for co-amici curiae briefs. Such briefs could then easily be jointly prepared and filed by lawyers from several associations of lawyers, law enforcers and educators. The legal staff of the National School Safety Center has formed a Legal Advisory Council to aid in this effort.

Lawyers need to learn much more about relevant legal issues facing educators and law enforcers and then begin to provide help in resolving those issues.

Conferences which are sponsored by professional associations of lawyers, law enforcers, school administrators and other educators can readily be made into opportunities for joint presentations on relevant professional concerns. A notable example is Los Angeles County Superintendent of Schools Stuart Gothold's Annual In-Service Workshop on

School-Related Crime, Violence and Vandalism. The program is annually co-sponsored by a long list of education, legal and law enforcement leaders.[13]

In 1984, Gothold's Eighth Annual Workshop was attended by more than 650 educators and law enforcers from throughout the state. At this conference, a panel discussion,[14] "Law in the School: A New Era," explored the significant extent to which law has invaded our schools and the great difficulty with which schools seem to be dealing with that invasion.[15]

One thousand educators, lawyers, and law enforcers attended the Ninth Annual Workshop in 1985. Another related panel discussion,[16] "Who Runs the Schools: Lawyers, Judges or Educators?" was conducted. Active participation by several legal and bar associations occurred for the first time.

Lawyers and their professional associations can also participate in adopt-a-school-type programs which unite an individual school with a law firm or bar association. Lawyers can visit classrooms and interact with students, introducing them to practical aspects of the law such as civil and criminal law, rights and responsibilities.

Lawyer involvement in school safety can take many forms:

- *in-service training for educators*
- *adopt-a-school programs*
- *curriculum development*
- *law-related education*
- *professional association action*
- *amicus curiae briefs*
- *conferences*

Lawyers can also assist in setting up or participating in "experiential learning" situations, where students learn through field trips to the courthouse, the city council or the legislature, while actual proceedings are in progress. Afterward, a question and answer period follows where judges, prosecutors, defense counsel, city council members or legislators answer students' questions. Such law-related education programs promote responsibility, accountability and good citizenship as students gain a clearer understanding of, and more respect for, legal professionals, government and the justice system.[17]

Judges can also play a vital role in establishing

and maintaining interagency cooperative efforts in their communities by serving as convenors and facilitators of such groups. As professionals who are trained to be neutral and impartial, judges have the advantage of not being tied directly to any one of the participating agencies and therefore can largely avoid "turf" issues. In addition, judges have sufficient status to gain the attendance and participation of the necessary youth service agencies in their communities. They can convincingly argue the benefits to all cooperating agencies of sharing information and resources, which help reduce costs and avoid duplicated efforts.

Beyond the services mentioned, public prosecutors, as an integral part of the juvenile justice system, can also play leadership roles in helping to shape and implement priorities and commitments.

Through active, persistent involvement in interagency task forces and other collaborative efforts, prosecutors' offices can help promote faster, more flexible and imaginative handling of juvenile justice problems and cases through interdepartmental coordination and cooperation.

Perhaps the most constructive way to demonstrate the potential for leadership within the legal community is to describe the successful efforts of several actively involved agencies and associations.

Effective programs

In San Joaquin County, California, a deputy district attorney is assigned to both city and county School Attendance Review Boards (SARBs). These interagency groups are composed of representatives from schools, juvenile probation and welfare departments, law enforcement agencies, district attorney's office, parents, as well as private counseling organizations and mental health and public health agencies.

SARBs meet regularly to hear individual cases of truant students. They consider all the information available including reports from law enforce-

ment, probation and welfare agencies regarding past records (e.g., delinquency, child abuse, etc.). Parents and students are involved in such hearings, and findings and recommendations are made to rectify each situation. Such findings and recommendations may involve referral to family counseling or simply a warning to parents and students that the truancy must stop.

The active participation of the district attorney's (D.A.) office on this board is crucial because it provides an enforcement element. Following SARB hearings, if problems are not resolved, the D.A.'s office can issue citations requiring parents and students to show reasons why they should not be charged with violations of compulsory attendance laws. Often, these threats alone are sufficient to convince parents and students that the situation is serious and will not be ignored. If not, the next step is to actually file charges.

The decision as to whether to file criminal charges (Calif. Ed. Code, §48291) or noncriminal charges (Calif. Welf. & Inst. Code , §300) against the parent, or charges against the juvenile (Calif. Welf. & Inst. Code, §601), or both, is shaped by the information obtained in a SARB hearing. Usually, if the charges are against the juvenile, the case is first referred to the probation department. There, the staff of a counseling program, "New Directions," attempts to intervene and resolve the problem before filing. If that does not work, the probation department files formal charges against the youth.

D.A. involvement in School Attendance Review Boards: An effective interagency solution to truancy and related delinquency problems.

The D.A.'s office then follows through by assisting schools or probation departments to usher the case through court. The result is an effective interagency solution to truancy and related delinquency problems.

While a SARB is specifically designed to address truancy (which can be closely correlated to a variety of delinquent acts), it also provides a

forum for juvenile justice and education professionals to meet regularly and thereby establish effective working relationships on many subjects.

San Diego County

San Diego County, California, has taken an even more comprehensive approach. A County Interagency Youth Advisory Committee has been established to discuss relevant issues and devise consistent interagency policies and procedures related to juvenile justice and delinquency prevention. The committee, which is chaired by a deputy district attorney includes representatives from the California Youth Authority, county social services, the juvenile court, county administrator's office, mental health department, and 19 law enforcement agencies including San Diego Schools' Police Services.

Meeting monthly, the committee reviews juvenile justice problems and develops proposals to effectively address them. For example, it devised uniform crime reporting forms and arrest procedures for all law enforcement agencies in the county. A subcommittee on juvenile case processing developed an interagency agreement between law enforcement departments, probation agencies and the district attorney's office, to handle all juvenile offenses consistently and uniformly.

The interagency approach in San Diego County is working to establish consistent and uniform juvenile justice standards and sentencing.

The stated goal of the agreement is to "strengthen the concepts of accountability and thereby rehabilitation in the juvenile justice system by reversing the minor's expectation, confirmed by recent history, that the system will handle him or her repeatedly on an informal basis with minimal formal court action in response to misconduct..."

The committee submitted a position paper to the State Juvenile Law Revision Commission regarding appropriate juvenile justice legislation

and is currently developing guidelines for uniform case processing of child molestation cases.

Ventura County

Ventura County, California, may demonstrate the most comprehensive example of interagency cooperation and networking in which lawyers and district attorneys are involved. Numerous interagency groups exist including: (1) the Interagency Juvenile Justice Council through which the district attorney, the superintendent of schools, county counsel, juvenile court judge, superior court judge, sheriff, public defender, chief county administrative officer, social services director, correction services director, public health care director, and a county supervisor, all meet once a month; (2) the Interagency Case Management Council, through which middle management representatives of the same agencies listed above, meet every two weeks to consider appropriate responses to individual juvenile cases which overlap two or more agencies; (3) the county SARB which addresses truancy issues; and (4) numerous other task forces, subcommittees and public forums which deal with issues such as child abuse, sexual molestation, women's self-protection, school safety and many related issues.

The Ventura County Interagency Juvenile Justice Council establishes the tone and commitment to interagency communication and cooperation from the top. The effectiveness of this leadership is demonstrated by the high priority which interagency approaches receive at every level of program planning throughout the county.

Interagency efforts to curb juvenile delinquency and crime in Ventura County bring together schools, the legal community, public health, law enforcement, government and social services.

The Ventura County Interagency Case Management Council applies a multi-disciplinary case management approach to specific juvenile cases which have not been adequately resolved by a single agency. Involving the agency representatives listed previously, as well as other primary parties

involved in specific cases (SARB, juvenile court judges, private agencies such as Big Brother/ Sister, etc.), the council works cooperatively to develop interagency responses to prevent kids from "falling through the cracks" of the system. The participating deputy district attorney is able to keep the council informed about cases as they progress through the courts and, in turn, is often able to provide other deputy district attorneys with information pertinent to their particular caseloads.

A district attorney representative also sits on the county SARB and helps set policy for attendance actions by the county. To make the best use of resources and stay within heavy caseload restraints, the D.A.'s office only files against selected parents on the strongest truancy cases, and solicits extensive media coverage. This sets examples and directs public attention to potential consequences of violating compulsory education laws.

Facilitated by the extensive interagency communication and cooperation between these three ongoing county groups, numerous Ventura County interagency task forces, subcommittees and ad hoc groups deal with specific issues, develop "requests for funding proposals" (RFPs), participate in public forums, and generally promote the effective use of countywide resources and efforts.

Chicago

Chicago, Illinois, is another area where a public prosecutor's office has taken the leadership in providing services which range from prevention to diversion. The State's Attorney's Office in Cook County has recently initiated innovative primary crime prevention programs for school children, based on a partnership between community and civic organizations and the State's Attorney's Office. Neighborhood task forces have been formed which send representatives to meet with the state's attorney. In monthly meetings, remedies

for community and school problems such as drugs, gang violence and juvenile crime are discussed and solutions are proposed.

Spinoffs of this partnership have included the purchase of a "law mobile" and the development of a speaker's bureau. Emphasizing crime prevention, the popular law mobile travels to elementary and secondary schools as well as community organizations upon request. The law mobile offers a variety of services, including the provision of legal information, the distribution of films and other audio-visual materials and the sponsorship of special activities and events.

Complementing the activities of the law mobile is the speaker's bureau which is comprised of prosecutors from the State's Attorney's Office. They visit secondary schools during the weekdays to conduct classes and hold assemblies for students, teachers and parents on a variety of law-related topics. They also respond to requests from community groups to make evening presentations on crime issues of local concern. High on the list of requested topics has been drug use and sales in schools. Since the formation of the bureau in 1981, representatives have made over 2,800 separate appearances in Chicago schools and neighborhoods.

School crime prevention programs in the Chicago area, based on various partnerships, have employed such innovative devices as a "law mobile," speakers bureau, neighborhood task forces and high school law-related education.

Other activities sponsored by the State's Attorney's Office and targeted for use in the war against drugs on campus include the publication of a drug abuse informational booklet and the promotion of a drug abuse poster contest for elementary school students. The booklet entitled *Drugs – Illusion – Reality* was produced collaboratively through the efforts of local drug rehabilitation centers and juvenile court judges and is geared for distribution to parents and teachers.

In a slightly different context, the Chicago Bar Association and the John Marshall Law School, in coalition with the Chicago Public Schools Adopt-

A-School Program, have developed a comprehensive program of law education. Supported by a grant from the McDonald's Corporation, the program now reaches every student in Chicago public high schools. The culminating activity is a mock trial competition between the high schools conducted in the Illinois Supreme Court. In addition, the finalists in the competition are eligible for $100,000 in scholarships to John Marshall Law School.

New York

Similarly, the Federal Bar Counsel and New York Alliance for Public Schools sponsor a "mentor" program which pairs 22 major law firms with 22 public schools (19 high schools and three junior high schools). The firms sponsor five events for the students of their respective "adopted" school including visits to courts, to the law firm, and classroom lectures.[18] (The National School Safety Center is in the process of developing a national Adopt-A-School Program aimed especially at the legal community. For more information about how you can become involved, please contact the NSSC Legal Section.)

Florida

In Florida, Governor Robert Graham has launched numerous innovative interagency programs and argued persuasively in favor of a primary prevention approach for the reduction of crime, stating: "The more children we can help to grow up physically healthy, intellectually curious and free from crime, the fewer we will have to arrest, prosecute, adjudicate and incarcerate."

More than 70 percent of Florida's school districts have adopted law-related education that covers juvenile crime and emphasizes the legal consequences of campus drug use and trafficking.

Among Governor Graham's actions has been the creation of the Governor's Constituency for Children. Stressing collaboration between the public and private sectors, this program is a preventive effort to steer children away from for-

mal involvement with the juvenile justice system. The constituency is guided by a State Council which includes among its membership the Commissioner of Education and the Attorney General. From this collaboration have come a variety of local prevention programs.

Florida has also shown considerable initiative in developing law-related education curricula. Circuit Court Judge Clifton Kelly, a former prosecuting attorney, initiated and supported, in cooperation with the Florida Bar Association, the passage of a 1978 permissive law education program (Fla. Edu. Code, § 233.0615). The statute urged schools to begin teaching students the consequences of breaking the law. Not content to simply sponsor this legislation, Judge Kelly co-authored the program's curriculum. The lesson plans cover a wide spectrum of juvenile crime and place considerable emphasis on the legal consequences of campus drug use and trafficking. To date, more than 70 percent of Florida's school districts have adopted this law-related education program.

Florida's Dade County State's Attorney's Office provided leadership in the formation of an Interagency Consortium dedicated to developing primary prevention programs. The consortium is comprised of representatives from the city government of Miami, the Metro-Dade Police Department, the Department of Human Resources, the Department of Health and Rehabilitative Services and other community-based agencies.

A variety of school programs aimed at delinquency prone elementary and junior high school children have been initiated by a Florida State's Attorney's Office.

Recognizing patterns of delinquent behavior often begin in late elementary and junior high grades, the consortium initiated an early intervention program for children in kindergarten through fourth grade who exhibit behavioral and emotional problems or are academic underachievers. The consortium has targeted a number of elementary schools in a high poverty section of Miami to receive the program's services. Considerable

emphasis is placed on both an after-school remedial education component and a treatment component which focuses on emotional and behavioral problems. A local mental health agency conducts individual and group counseling sessions with these children. Reflecting Dade County's concern for reducing epidemic-level drug use, the treatment component of this program, as one of its objectives, makes a concerted effort to treat the problems and educate these predelinquent youngsters about the dangers of drug abuse.

In each of the school safety situations discussed in this booklet, interagency cooperation is the key. Through interagency communication and collaboration, consistent priorities are set and effective policies and procedures developed.

Based upon the program descriptions, it is evident that the legal community can *and must* be active and effective in shaping a wide array of program strategies and practices aimed at reducing juvenile delinquency and promoting school safety.[19] These efforts range from instructional approaches such as law-related education and speakers bureaus at the level of primary prevention, to statutory enactments facilitating forceful prosecution of more serious juvenile offenders at the level of adjudication. Especially exciting are those steps currently being taken by many attorneys and judges, and some of their professional associations, to assume leadership roles in what for them have been nontraditional areas of involvement in the juvenile justice system, namely, prevention and diversion.

"The more children we can help to grow up physically healthy, intellectually curious and free from crime, the fewer we will have to arrest, prosecute, adjudicate and incarcerate."

Gov. Robert Graham, Florida

Footnotes

1. Founded in 1977, the National Alliance for Safe Schools assists school administrators and staff with programs for improving the ways in which they deal with disruptive behaviors. These misbehaviors – known to all school principals – vary from rowdy actions that disrupt classrooms, to crime and violence or the threat thereof, which cripple the overall learning environment of the school.

   The National Alliance provides this help through security-related technical assistance, research into the characteristics of incidents in particular schools, and publications furnishing data and information to those concerned with the social environment of schools.

   Membership of $15 per year in the National Alliance brings with it access to its 1800-source library (for special literature searches), receipt of the *Safe Schools Bulletin* (current trends and activity in the field of crime prevention in schools), and receipt of the *Safe Schools Digest* (a synthesis of key current publications).

   To become a member, or to receive additional information, contact: National Alliance for Safe Schools, 501 North Interregional, Austin, Texas 78702, 512/396-8686, Robert Rubel, Director.

2. See Nicholson, "Pursuing School Safety in the 80's: An Opinion From the Attorney General's Office," *Thrust for Educational Leadership*, Association of California School Administrators, Burlingame, 26 (October, 1981); republished in Cuervo (ed.), *Toward Better and Safer Schools: A School Leader's Guide to Delinquency Prevention*, National School Boards Association, Washington, D.C. 229 (1984).
3. The California School Safety Center published *Campus Strife: The Educator's Crime Prevention Quarterly*, which was circulated to more than 30,000 educators and law enforcers statewide as well as several school safety specialty handbooks, including (a) *Truancy Reduction: The Hooky Hand-*

book; (b) *School Security Handbook: Get a Handle on a Vandal;* (c) *Chaos to Calm: A Handbook for Creating Safe Schools;* (d) *Alternatives to Vandalism: Cooperation or Wreckrecction;* (e) *Child Abuse: The Educator's Responsibilities;* (f) *Crime Prevention Coloring Book;* and (g) *Law In the School.*

4. Contact: California Attorney General's Crime Prevention Center, 1515 K Street, Sacramento, California 95813, 916/324-7863; California State Department of Education's Office of School Climate, 721 Capitol Mall, Sacramento, California 95814, 916/323-0561.
5. *People ex rel. George Deukmejian, as Attorney General of the State of California, et al.* v. *Los Angeles Unified School District, et al.*, Los Angeles County Superior Court No. 323360; Deukmejian, *The Lawsuit to Restore Safety in the Schools,* California Department of Justice, Sacramento (1980).
6. Deputy Attorney General Robert E. Murphy, handled the case from its beginnings and has a breadth of knowledge on school safety which can be of great assistance to any attorney considering litigation in the field. Office of the Attorney General, State Building, San Francisco, Calif. 94102, 415/557-2544.
7. But see *ibid.*, 2 Civ. 64340, Second District, Fourth Division, California Court of Appeal (1983).
8. See California Constitution, Article I, Section 28(c); Sawyer, "The Right to Safe Schools: A Newly Recognized Inalienable Right," 14 *Pacific Law Journal* 1309 (1983); and Carrington and Nicholson, "The Victims' Movement: An Idea Whose Time Has Come," 11 *Pepperdine Law Review* 1, 7-8, 11-13 (Symposium, 1984).
9. See *Goss* v. *Lopez,* 419 U.S. 565 (1975); Horowitz and Davidson, *Legal Rights of Children,* Shephard's/McGraw-Hill, Colorado Springs, 524-532 (1984); Frels, Cooper, Bracewell and Pat-

terson, *School Discipline Policies and Procedures: A Practical Guide*, National School Boards Association, Washington, D.C. (1984); *Discipline Manual*, National Education Association, Washington, D.C. (1984); Mayer and Butterworth, *Constructive Discipline: Building a Climate for Learning*, Office of the Los Angeles Superintendent of Schools (1984); *Spell* v. *Bible Baptist Church, Inc.*, 303 S.E.2d 156 (Ga., 1983); *Wilson* v. *Gollinsville Conn. Unit School*, 451 N.E.2d 939 (Ill., 1983); Vacca and Hudgins, *Liability of School Officials and Administrators for Civil Rights Torts*, The Michie Company, Charlottesville (1982); Furtwengler and Konnert, *Improving School Discipline*, Allyn and Bacon, Inc., Boston (1982); Canter and Canter, *Assertive Discipline: A Take Charge Approach for Today's Educator*, Canter and Associates, Los Angeles (1980).

10. See *Enright* v. *Board of School Directors of the City of Milwaukee*, 346 N.W.2d 771 (Wis., 1984); *Rodriquez* v. *Inglewood Unified School District*, 152 Cal.App.3d 440 (1984); *Miller* v. *New York*, 478 N.Y.S.2d 829 (1984); *Peterson* v. *S.F. Community College District*, (1984), ____ Cal.3d _____; 685 P.2d 1193; 205 Cal.Rptr. 842; *Auerbach* v. *Council Rock School Dist.*, 459 A.2d 1376 (Pa., 1983); *Carson* v. *Orleans Parish Bd.*, 432 So. 2d 956 (La. Ct. App., 1983); *Mullins* v. *Pine Manor College*, 449 N.E.2d 331 (Mass., 1983); *Alma W.* v. *Oakland Unified School District*, 123 Cal.App.3d 133 (1981); and *Ferraro* v. *Board of Education*, 212 N.Y.S.2d 615 (1961).

Among the groups involved in school safety issues are:

- *National Alliance for Safe Schools*
- *California Attorney General's Office*
- *National School Boards Association*
- *Los Angeles County Office of Education*

11. See Rogister, Majestic and Williams, *Search and Seizure in the Schools*, National School Boards Association, Washington, D.C. (1984); a case with potentially great impact on this subject is pending before the United States Supreme Court in *New Jersey* v. *T.L.O.*, No. 83-712; see also, 463 A.2d 934 (N.J., 1983); the federal Ninth Circuit Court of Appeal recently ruled on a pertinent civil matter

in an Oregon case entitled *Bilbrey* v. *Garland Brown*, Circuit Court of Appeals No. 81-3008.

12. See Van Duizend, Mlyniec and Foster (rptrs.), *Standards for the Administration of Juvenile Justice*, U.S. Government Printing Office, Washington, D.C. (1980); and Lowe and Watters, *Legal Research for Educators*, Phi Delta Kappa, Bloomington, Ind. (1984).
13. Contact: Los Angeles County Office of Education, Division of Evaluation, Attendance and Pupil Services, 9300 East Imperial Highway, Downey, Calif. 90242-2890, 213/922-6231.
14. Moderated by Dean William Adrian of the Graduate School of Education and Psychology, Pepperdine University; panelists were Frank Carrington, Esq., of Virginia, a nationally respected crime victims' rights activist; Glenn Fait, Dean of Administration, McGeorge School of Law; Albert Howenstein, Executive Director of the Governor's Office of Criminal Justice Planning; and George Nicholson, Director and Chief Counsel of the National School Safety Center.
15. See Rodriguez, "Has Student Rights Litigation Demoralized Educators?" *Thrust for Educational Leadership*, Association of California School Administrators, Burlingame, 5 (Jan./Feb. 1981); Duke, Donmoyer and Farman, "Emerging Legal Issues Related to Classroom Management," 8 *Journal of Law and Education* 495 (1979); and Deukmejian, *Law in the School*, California Department of Justice, Sacramento, 1980; finally, see *Final Report: The President's Task Force on Victims of Crime*, U.S. Government Printing Office, Washington, D.C., December 1982.
16. Moderated by George Nicholson, Director and Chief Counsel, National School Safety Center; panelists were: Art Bell, author of *Bell's Compendium*, nationally acclaimed expert on Fourth Amendment issues; Marian LaFollette, California State Assemblywoman from Woodland Hills; Frank

Among the most knowledgeable law-related education programs are:

- *ABA Public Education Division*
- *Center for Civic Education/Law in a Free Society*
- *Constitutional Rights Foundation*
- *National Institute for Citizen Education in the Law*

Carrington, Director of VALOR (Victims Assistance Legal Organization); The Honorable H. Randolph Moore, Presiding Juvenile Court Judge, Los Angeles County; James Rapp, Author of *Education Law*, (Matthew-Bender); and Glenn Fait, Dean of Administration, McGeorge School of Law.

17. Law-related education resources: (1) Charlotte C. Anderson, American Bar Association, Youth Education for Citizenship Committee, 750 N. Lake Shore Drive, Chicago, IL 60611, 312/988-5725; (2) Charles N. Quigley, Center for Civic Education/Law in a Free Society, 5115 Douglas Fir Road, Suite 1, Calabasas, CA 91302, 818/340-9320; (3) Vivian Monroe and Todd Clark, Constitutional Rights Foundation, 1510 Cotner Avenue, Los Angeles, CA 90025, 213/473-5091; and (4) Lee Arbetman, National Institute for Citizen Education in the Law, 605 G. Street, N.W., Washington, D.C. 20001, 202/624-8217.
18. Contact founder Thomas W. Evans of Mudge, Rose, Gutherz, Alexander & Ferdon, 180 Maiden Lane, New York, New York 10038, 212/510-7000.
19. Among the most fruitful school law resources are: (1) Professor Clifford P. Hooker, Chairman, Editorial Advisory Committee, West's *Education Law Reporter*, University of Minnesota, 275 Peik Hall, 159 Pillsbury Drive S.E., Minneapolis, Minnesota 55455, 612/373-5568; (2) Mr. Thomas N. Jones, executive director, National Organization on Legal Problems in Education (NOLPE), Suite 223, 3601 Southwest 29th, Topeka, Kansas 66614, 913/273-3550; (3) Gwendolyn Gregory, Deputy Legal Counsel, National School Boards Association's Council of School Lawyers, 1055 Thomas Jefferson Street, N.W., Washington, D.C. 20007, 202/337-7666; (4) James A. Rapp, Esq., *Education Law*, 3 vol., Matthew Bender, New York (1984); and (5) *Journal of Law & Education*, published quarterly by the Jefferson Law Book Co., 646 Main Street, Cincinnati, Ohio 45202.

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- ✓ *West's Education Law Reporter*
- ✓ *National Organization on Legal Problems in Education*
- ✓ *National School Boards Association's Council of School Lawyers*
- ✓ *Education Law*
- ✓ *Journal of Law & Education*

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In the winter of 1983-84, President Reagan directed the U.S. Departments of Justice and Education, in partnership with Pepperdine University, to form the National School Safety Center.

The mission of NSSC is to coalesce public, private and academic resources throughout America and provide a central headquarters to assist school boards, educators, law enforcers and the public to restore our schools as safe, secure and tranquil places of learning.

Specifically, the Center promotes a continued exchange of information related to school crime and violence prevention through a wide array of resources: an extensive national educational/legal/criminal justice network; conferences; training programs; professional handbooks and journals; a resource system of current laws, programs, legislation and other relevant information; and a multimedia public service advertising campaign.

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